

527 Rec'd PCT/PTO 21 NOV 2000 #3

Customized FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.
P06780US0/BASU.S. APPLICATION NO.
(If known, see 37CFR 1.5)
09/581,422**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**INTERNATIONAL APPLICATION NO.
PCT/EP98/08557INTERNATIONAL FILING DATE
14 December 1998PRIORITY DATE CLAIMED
15 December 1997

TITLE OF INVENTION: A NEW GENE CALLED OLIGOPHRENIN 1, ITS EXPRESSION PRODUCT,...

APPLICANT(S) FOR DO/EO/US: CHELLY et al.

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☒ 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
3. This express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 371(b) and PCT Art. 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. Amendments to the claims of the International Appln. under PCT Article 19 (35 USC 371 (c)(3))
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments had NOT expired.
 - d. have not been made and will not be made.
8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ☒ 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. A translation of the annexes to the Int'l Prelim. Exam. Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

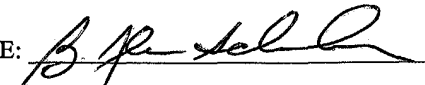
11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
- ☒ 12. An Assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A First preliminary amendment.
A Second or subsequent preliminary amendment.
14. A substitute specification.
15. A change of power of attorney and/or address letter.
- ☒ 16. Other items or information:
 - ☒ Petition for Extension of Time
 - ☒ Customer Number/Change of Address
- ☒ A copy of the Notification of Missing Requirements under 35 U.S.C. 371.
- ☒ In the event that a petition for extension of time is required to be submitted herewith, and in the event that a separate petition does not accompany this response, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely. Any fee is authorized in 17(c).

11/27/2000 ERMANDO 00000044 09581422

Date: 21 November 2000

01 FC:154

130.00 OP

U.S. APPLICATION NO. <i>(If known)</i> 09/581,422		INTERNATIONAL APPLICATION NO. PCT/EP98/08557		ATTORNEY DOCKET NO. P06780US0/BAS		
X 17. The following fees are submitted: Basic National Fee (37 CFR 1.492 (a) (1)-(5):					CALCULATIONS PTO USE ONLY	
Neither Int'l Prelim. Exam. fee nor Int'l Search fee paid to USPTO \$1000 Search Report has been prepared by the EPO or JPO \$ 860 No Int'l Prelim. Ex. fee paid to USPTO but Int'l Search fee paid to USPTO \$ 710 International preliminary examination fee paid to USPTPO \$ 690 Int'l Prelim. Ex. fee paid to USPTO & all claims satisfied PCT Art. 33(1)-(4) \$ 100						
ENTER APPROPRIATE BASIC FEE AMOUNT =						
X Surcharge of \$130 for furnishing the oath or declaration later than [] 20 mos. from the earliest claimed priority date (37 CFR 1.492(e)). [] 30 mos. +					\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			
Total Claims	- 20 =		X \$18 =	\$		
Independent Claims	- 03 =		X \$80 =	\$		
Multiple Dependent Claim(s) (if applicable)			+ \$270 =	\$		
TOTAL OF ABOVE CALCULATIONS =					\$ 130.00	
Reduction of 1/2 for small entity status of applicant					\$	
SUBTOTAL =					\$ 130.00	
Processing fee of \$130 for furnishing the English translation later than [] 20 mos. from the earliest claimed priority date (37 CFR 1.492(f)). [] 30 mos. +					\$	
X PETITION FOR EXTENSION OF TIME FEE =					\$ 390.00	
X Fee for recording the enclosed assignment, accompanied by a cover sheet - \$40 per property					\$ 40.00	
TOTAL FEES ENCLOSED =					\$ 560.00	
Amount to be					Refunded	\$
					Charged	\$
X a. A check in the amount of \$ 560.00 to cover the above fees is enclosed. b. Please charge my Deposit Account No. 12-0555 in the amount of \$ to cover the above fees. X c. The Commissioner is hereby authorized to charge any additional fees required or credit overpayment to Deposit Account No. 12-0555.						
Note: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.						
SEND ALL CORRESPONDENCE TO: B. Aaron Schulman At the address (below) of CUSTOMER NO. 000881. LARSON & TAYLOR, PLC 1199 NORTH FAIRFAX ST. SUITE 900 ALEXANDRIA, VA 22314			SIGNATURE:  NAME: B. Aaron Schulman REG. NO.: 31,877 PHONE NO.: 703-739-4900 Date: 21 November 2000			



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

P06780US0/TP

U.S. APPLICATION NO. FIRST NAMED APPLICANT ATTY. DOCKET NO.

000881

5611

LARSON & TAYLOR, PLC
1199 NORTH FAIRFAX STREET
SUITE 900
ALEXANDRIA VA 22314

PCT/EP93/02557
INTERNATIONAL APPLICATION NO.

I.A. FILING DATE 4/98 PRIORITY DATE 1/5/97

09/01/00

DATE MAILED:

10-1-2000
01 SEP 2000

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):
☒ U.S. Basic National Fee.

☒ Copy of the international application in:
☐ a non-English language.
☐ English.

☐ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☐ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed _____ and _____.

☐ Information Disclosure Statement(s) filed _____ and _____.

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed _____.

☐ Statement Claiming Small Entity Status.

☐ Priority Document.

☐ Copy of the International Search Report ☐ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ 626 as a ☒ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE **MUST** BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☒ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703) 3053737